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FILED

April 19, 2004

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF:

Administrative Action

BARBARA L. MAUGLE, D.P.M. :
License No. 25MD00249800 :

CONSENT ORDER
REINSTATING LICENSURE

TO PRACTICE PODIATRY IN THE
STATE OF NEW JERSEY

This matter was most recently opened before the New Jersey State Board of Medical Examiners (the "Board") upon the Board's receipt of a petition from Barbara L. Maugle, D.P.M., seeking the reduction of the frequency of her visits with the Physicians Health Program ("PHP") as required by a Consent Order filed May 29, 2001. By way of background, Dr. Maugle voluntarily surrendered her license to practice podiatry in the State of New Jersey pursuant to a Consent Order entered on April 17, 2000, because she had then suffered a relapse of alcohol abuse, which relapse was reported to the Board by the PHP. The Consent Order reflects that Dr. Maugle also had an extensive record of arrests and dispositions for driving while under the influence of alcohol ("DWI"), to include an arrest in October 1999. Thereafter, in May 2001 an order reinstating her licensure to practice podiatry was entered.

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The May 29, 2001 Order specifically provided that Dr. Maugle could return to practice, provided that she first:

1. appear before a committee of the Board with a written proposal to the Board, outlining her practice plan under the supervision of a New Jersey licensed podiatrist;
2. maintain absolute abstinence from all psychoactive substances unless prescribed by a treating physician for a documented medical condition;
3. continue participating in aftercare program and psychotherapy with the PHP;
4. submit to twice weekly random urine screens for the first six month and once every week thereafter for a period of not less than one year;
5. attend Alcoholics Anonymous meetings at the frequency recommended by the Medical Director of the PHP; and
6. comply with all PHP recommendations and requirements including monthly face-to-face visits with the staff of PHP and providing quarterly reports to the Board.

In May 2003, Dr. Maugle petitioned for an appearance before a Board committee in accordance with paragraph 1 above but due to her illness the petition was adjourned. Dr. Maugle renewed her petition and appeared before a Preliminary Evaluation Committee of the Board on October 22, 2003. She was accompanied by David I. Canavan., M.D., Medical Director Emeritus of the Physicians' Health Program. At the appearance, Dr. Maugle testified that although her licensure to practice podiatry has been reinstated in May 2001, she is unable

to meet the pre-requisites of a return to practice due to chronic illness.

Dr. Maugle also testified that, since ceasing practice (it is noted that Dr. Maugle ceased practicing prior to the entry of the April 17, 2000 Order), she has maintained absolute abstinence from alcohol and all other prohibited substances and has faithfully pursued the recovery plan outlined for her by the PHP, including attending one to three meetings of the support group of Alcoholics Anonymous each week and participating in a weekly physicians aftercare group conducted by Mr. Harold Clotworthy in Bridgewater, New Jersey. Dr. Canavan testified that Dr. Maugle's aftercare program with Mr. Clotworthy and psychiatric treatment with Dr. Sprague have been completed with recommendations that she is fit to resume the practice of podiatry at this time.

He further noted that Dr. Maugle's urine screens have been consistently negative for the presence of alcohol or any psychoactive substances. Dr. Canavan informed the Board that Dr. Maugle has completed PTI and DWI charges that date back to 1999 have been resolved. Based on Dr. Maugle's progress in treatment, Dr. Canavan expressed his support for the reduction of the frequency of visits with the PHP put in place by the May 2001 order.

Upon review of available information, the Board is satisfied that cause exists at this time to enter an Order modifying the Consent Order filed May 26, 2001 provided that Dr. Maugle complies

with all conditions and terms imposed upon her below. Given, however, that she has not currently submitted an acceptable practice proposal to the Board, Dr. Maugle shall be expressly precluded from resuming any practice of podiatry until such time as she presents a plan for supervised practice, with a supervisor acceptable to the Board, and receives express approval from the Board to resume practice at the proposed practice setting.

The Board being further satisfied that the within Order adequately protects the public health, safety and welfare, and that good cause exists for entry of the within Order,

IT IS on this 12th day of April, 2004,

ORDERED:

1. Notwithstanding the lincensure reinstatement ordered in the Consent Order of May 29, 2001, respondent is expressly precluded from engaging in any practice of podiatry until such time as respondent shall present a written proposal to the Board, outlining her practice plan. Any proposed practice of podiatry shall be under the supervision of a New Jersey licensed podiatrist, and any resumed practice shall be subject to express pre-approval by the Board. Any proposed supervisor shall be made aware of respondent's history and of all conditions of this Order.

2. Prior to resuming practice, respondent is required to appear before a Committee of the Board at such time as she presents a practice proposal, for the purpose of demonstrating to the

Board's satisfaction of her clinical knowledge and current competency as well as her practice of podiatry and surgery. .

3. Respondent shall maintain absolute abstinence from all psychoactive substances, unless any such substances are prescribed by a treating physician for a documented medical condition, and provided further that said treating physician provides written notification to the Medical Director of the Physicians' Health Program regarding said prescribing.

4. Respondent shall continue to participate with the PHP with the frequency consistent with her duration of recovery.

5. Respondent shall submit to random urine testing ^{QUARTERLY} ~~twice a~~ ^{BM} ~~month~~ for the first year of this Order and then on a schedule to be determined by the Executive Medical Director of the PHP.

6. Respondent shall continue to attend meetings of the ~~Alcoholic Anonymous~~ ^{Alcoholic Anonymous}, at the rate of one to three meetings per week.

7. Respondent shall continue to participate in the PHP program, and shall comply with all recommendations and requirements to be determined by the Executive Medical Director of the PHP, to include participating in face-to-face visits with the staff of the PHP.

8. The PHP shall provide reports on a semi-annual basis to the Board regarding respondent's participation in the Program, and shall provide the Board with immediate notification in the event respondent fails to comply with any recommendations of requirements of the Program, fails to participate in random urine monitoring,